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Fax

To: Dr. Leon B. Lankford, Jr. **From:** John W. Mahoney
Fax: (703) 872-9306 **Pages:** 9 plus cover
Phone: **Date:** 17 May 2005
Re: Inquiry Re: Status of Case **CC:**

 Urgent **AS REQUESTED** **Please Comment** **Please Reply** **Please Recycle**

• Comments:

RE: Serial Number 10/029,779

Dear Examiner Lankford

Attached is an inquiry into the status of the above referenced case. It appears that the Office may have misplaced the completed USPTO Form-85.

Please call me at (510) 705-7725 if you have any questions regarding this matter.

Kind Regards,

John W. Mahoney
John W. Mahoney

Reg. No. 44,892

17 May 2005

Application Number 10/029,779
Inquiry dated 17/05/2004
Inquiry Re: Status of Case

Attorney Docket No. MSB-7277

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Rudiger Heidemann, et al. Group Art Unit: 1651
Serial Number: 10/029,779 Examiner: Lankford Jr, Leon B
Filed: 12/18/2001 Confirmation Number: 5688
Title: A Device and Method for Seed Train Expansion of Mammalian Cells

INQUIRY REGARDING STATUS OF CASE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is an inquiry into the status of the above-identified case. It appears that the Issue Fee Transmittal form may have been lost at the USPTO and the case is at risk of going abandoned. Please review the attached records and allow this case to issue at the earliest opportunity.

- On 06/03/2004 the USPTO issued a Notice of Allowance (copy attached).
- On 21/06/2004 Applicants send by US Post Office - Express Mail (Item Tracking Number EV28 6048 706US) to Addressee service the completed PTOL-85 Form authorizing the Office to withdraw the issue fee from Assignee's Deposit Account. The Certificate of Mailing is completed by Luajuana LeGrande and dated June 21, 2004. (Copy Attached)

Application Number 10/029,779
Inquiry dated 17/05/2004
Inquiry Re: Status of Case

Attorney Docket No. MSB-7277

• On 23/06/2004, at 9:59AM, the USPS delivers the Express Mail envelope containing the completed PTOL-85 Form to the USPTO. US Post Office records show that Mary Boston signs the receipt accepting delivery of Express Mail Item Tracking Number EV28 6048 706US (copy attached).

• Recently the Office reported to me that it has no record of receiving the completed Form-85.

• Please amend the Patent Term Adjustment under 35 USC 154(b) to reflect this delay in patent publication. Copy of original computation is attached.

Please let me know if there is additional information necessary to allow this application to issue.

Respectfully Submitted,

John W. Mahoney 17 May 2005
John W. Mahoney
Attorney for Applicants
Reg. No. 44,892

Bayer Corporation
(510) 705-7725



UNITED STATES PATENT AND TRADEMARK OFFICE

6-9
Review & Return
JAKL Lee

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Alexandria, Virginia 22313-1450
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NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

06/03/2004

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Berkeley, CA 94701

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BAYER CORPORATION
PATENT DEPARTMENT
BERKELEY CALIFORNIA

EXAMINER

LANKFORD JR, LEON B

ART UNIT

PAPER NUMBER

1651

DATE MAILED: 06/03/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,779	12/18/2001	Rudiger Heidemann	MSB-7277	5688

TITLE OF INVENTION: DEVICE AND METHOD FOR SEED-TRAIN EXPANSION OF MAMMALIAN CELLS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	09/03/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

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If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

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If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

June , 2004

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PATENT
MSB-7277

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Sir:

Kindly acknowledge receipt of the attached by dating and returning this postal card.

In re Application of: Rudiger Heidemann, et al.
Serial No.: 10/029,779 Filed: December 18, 2001 Examiner: L.B. Lankford Art Unit: 1651

Part B - Fee Transmittal - (1 page)

Respectfully,

John W. Mahoney June 21, 2004
John W. Mahoney



John W. Mahoney
Bayer Corporation
800 Dwight Way
P.O. Box 1986
Berkeley, California 94701

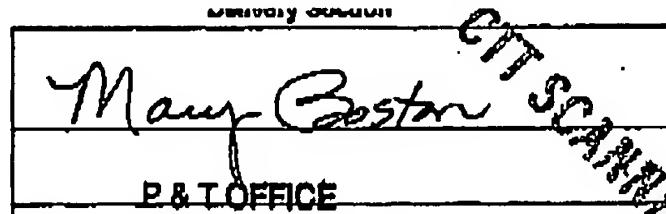


Date: 05/06/2005

JOHN MAHONEY:

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 Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,779	12/18/2001	Rudiger Heidemann	MSB-7277	5688
7590	06/03/2004		EXAMINER	
Bayer Corporation 800 Dwight Way P.O. Box 1986 Berkeley, CA 94701			LANKFORD JR, LEON B	
			ART UNIT	PAPER NUMBER
			1651	

DATE MAILED: 06/03/2004

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
 (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 227 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 227 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.